

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROBERT L. WILKENS, JR.,

Petitioner,

Case Number: 06-CV-15120

Honorable Paul D. Borman

v.

BLAINE LAFLER,

Respondent.

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**OPINION AND ORDER DENYING WITHOUT PREJUDICE PETITIONER'S
MOTIONS FOR ORAL ARGUMENT AND APPOINTMENT OF COUNSEL**

Petitioner Robert L. Wilkens, Jr. has filed a *pro se* petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, alleging that he is incarcerated in violation of his constitutional rights. Before the court are Petitioner's "Motions for Oral Argument and Appointment of Counsel."

Regarding Petitioner's request for appointment of counsel, there exists no constitutional right to the appointment of counsel in civil cases, and the Court has broad discretion in determining whether counsel should be appointed. *Childs v. Pellegrin*, 822 F.2d 1382, 1384 (6th Cir. 1987) ("[A]ppointment of counsel in a civil case is . . . a matter within the discretion of the court. It is a privilege and not a right.") (internal quotation omitted). A habeas petitioner may obtain representation at any stage of the case "[w]henever the United States magistrate or the court determines that the interests of justice so require." 18 U.S.C. § 3006A(a)(2)(B). In the instant case, the Court determines, after careful consideration, that the interests of justice do not require appointment of counsel at this time.

Regarding, Petitioner's request for oral argument, after a careful review of the motion and the petition, the Court finds that, because the factual record in this case is not detailed, complex, or lengthy, oral argument would not assist the Court in resolving the issues presented. On that basis, the Court denies Petitioner's motion.

Accordingly, **IT IS ORDERED** that Petitioner's "Motions for Oral Argument and Appointment of Counsel" [Dkt. # 10] are **DENIED WITHOUT PREJUDICE**. The Court will reconsider Petitioner's motions if it determines at a later date that oral argument or appointment of counsel would be necessary.

s/Paul D. Borman
PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

Dated: July 10, 2007

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on July 10, 2007.

s/Denise Goodine
Case Manager